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SIDNEY J. COHEN, ESQ., State Bar No. 39023  
SIDNEY J. COHEN PROFESSIONAL CORPORATION  
427 Grand Avenue  
Oakland, CA 94610  
Telephone: (510) 893-6682

Attorneys for Plaintiff  
CAROLYN MARTIN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CAROLYN MARTIN

Plaintiff,

V.

JAD SAN PABLO LLC;  
and DOES 1-25, Inclusive,

Defendants.

CASE NO. C 09-06025 CRB  
Civil Rights

**STIPULATION AND  
~~PROPOSED~~ ORDER  
FOR ENLARGEMENT  
OF TIME TO APRIL 30,  
2010 TO CONDUCT  
“MEET AND CONFER”**

**(Local Rule 6-2)**

1 **STIPULATION**

2 Plaintiff Carolyn Martin, by and through her attorney, and Defendant JAD  
3 SAN PABLO LLC , by and through its attorney, stipulate to an enlargement of  
4 time from April 16, 2010 to April 30, 2010 to conduct the “meet and confer”  
5 required by paragraph 4 of General Order 56 and, for the reasons stated in the  
6 declaration of Sidney J. Cohen set forth below, request that the Court order an  
7 enlargement to the April 30, 2010 date.

8 Date: 4/16/10

SIDNEY J. COHEN  
PROFESSIONAL CORPORATION

9 /s/ Sidney J. Cohen

10 \_\_\_\_\_  
11 SIDNEY J. COHEN  
Attorney for Plaintiff Carolyn Martin

12 Date: 4/16/10

THE DAVIS LAW FIRM

13 /s/ Marguerite E. Meade

14 \_\_\_\_\_  
15 Marguerite E. Meade  
Attorneys for Defendant JAD San Pablo  
16 LLC

17 **DECLARATION OF SIDNEY J. COHEN**

18 I, Sidney J. Cohen, declare as follows:

19 1. I am counsel for Plaintiff Carolyn Martin in this action. I am an  
20 attorney in good standing and licensed to practice in the courts of California, in  
21 the United States District Courts for the Northern, Eastern, and Central Districts,  
22 in the United States Court of Appeals for the Ninth Circuit, and in the United  
23 States Supreme Court. If called upon to testify, I would testify as follows:

24 2. On April 2, 2010 the parties, their counsel, and their consultants  
25 attended the joint site inspection required by paragraph 4 of General Order 56.

26 3. On April 12, 2010 plaintiff’s consultant completed his 44page  
27 Report, which identifies each of the 90 barriers to access which plaintiff asserts  
28

1 are present at the property and premises which is the subject of the lawsuit which  
2 sets forth the state and federal regulations for each alleged barrier which plaintiff  
3 claims requires remediation work, and which sets forth the scope of work to  
4 remove each alleged barrier which plaintiff asserts is required to bring the  
5 property and premises into compliance with the federal and state regulations for  
6 access.

7 4. Because of the parties', counsels', and consultants' conflicting  
8 schedules, and because of the time required for the preparation of the Report by  
9 plaintiff's consultant and the time required for review of the Report by  
10 defendant's consultant, it has not been possible to schedule the "meet and confer"  
11 to take place by the April 16, 2010 deadline.

12 5. There here has been one modification made to the deadlines  
13 imposed by statute, rule of court, or by the Court in this Action. The modification  
14 was a Stipulation to extend the time for defendant to respond to the complaint.

15 9 With the exception of the April 16, 2010 deadline to hold the "meet  
16 and confer," which is the deadline that is the subject of this request for an  
17 enlargement of time, the extension of the deadline to April 30, 2010 to hold the  
18 "meet and confer in the case will not effect any time lines or deadlines  
19 established by statute, rule of court, or the Court in this Action.

20 11. For the reasons stated above, the parties are by this stipulation  
21 requesting that the Court extend the meet and confer deadline from April 16,  
22 2010 to April 30, 2010.

23 I declare under penalty of perjury under the laws of the State of California  
24 that the foregoing is true and correct.

25 Executed on April 16, 2010 in the City of Oakland, California.

26 /s/ Sidney J. Cohen

27 \_\_\_\_\_  
28 Sidney J. Cohen

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**ORDER ENLARGING TIME TO CONDUCT MEDIATION**

1. Upon the stipulated request made by the parties in this Action, the Court finds good cause to enlarge the “meet and confer” deadline from April 15, 2010 to April 30, 2010.

2. The Court orders that the date by which the parties are to conduct the “meet and confer” is enlarged from April 15, 2010 to April 30, 2010.

IT IS SO ORDERED.

Date: April 21, 2010

CHARLES R. BREYER  
UNITED STATES DISTRICT COURT

